***HON'BLE SRI JUSTICE L. NARASIMHA REDDY***

***WRIT PETITION NO. 12590 OF 2007***

***DATE: 18.06.2007***

***BETWEEN***

1. Kakkurla Anjaneyulu, S/o Rajaiah and three others

....Petitioners

AND

1. The Sub-Registrar, Narsapur, Medak District and two others .

.... Respondents

***HON'BLE SRI JUSTICE L. NARASIMHA REDDY***

***WRIT PETITION NO. 12590 OF 2007***

ORAL ORDER:

Petitioners state that they purchased different extents of land in S.No. 660 of Bonthapalli Village, Jinnaram Mandal, Medak District, through various documents in the year 2001. It is stated that the property was owned earlier by the third respondent and by the time the petitioners came to purchase, it changed two or three hands. On coming to know that the third respondent is executing sale deed in favour of third parties, the petitioners filed representations before the first respondent with a prayer not to entertain the documents that were presented by the third respondent for the land in S.No. 660. The 1st respondent issued proceedings dated 5.6.2007 in reply to the said representation stating that he cannot accede to the request of the petitioners and if they are so advised, they can seek redressal in a court of law. Hence, petitioners challenge the proceedings issued by the first respondent.

Heard the learned counsel for the petitioners and the learned Government Pleader for the first respondent.

In a way, the relief claimed by the petitioners in this Writ Petition is to grant an injunction against the third respondent from alienating the property and the first respondent from entertaining the document that was presented by the third respondent. Such a relief can be granted only in a proper suit. The first respondent cannot be restrained from entertaining any document that was presented by the third respondent or for that matter to any other person. The reason is that he cannot verify the existence or

otherwise of the title by the vendor. He is under obligation to receive the documents and process the same in accordance with the provisions of the Registration and the Stamp Act. In case the petitioners are of the view that the third respondent has no right over the property, said to have been purchased by them, they have to approach a civil court by seeking a relief of declaration and for any other consequential reliefs. The view taken by the first respondent through his proceedings dated 5.6.2007 accords with the principles of law. This court does not find any basis to interfere with the same.

Accordingly, the Writ Petition is disposed of leaving it open to the petitioners to work out their remedies before the Civil Court. There shall be no order as to Costs.

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L. NARASIMHA REDDY, J

Date: 18.06.2007
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